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ELECTION OF THE MEMBERS OF THE COMMISSION ON THE LIMITS OF THE CONTINENTAL SHELF

Information note by the Secretariat

1. In accordance with article 76 of the United Nations Convention on the Law of the Sea, the Commission on the Limits of the Continental Shelf shall be established in conformity with the provisions of annex II of the Convention. The Commission must be established within 18 months after the date of entry into force of the Convention, i.e., before 16 May 1996 (article 2, paragraph 2, of annex II of the Convention). The members of the Commission are to be elected at a Meeting of States Parties convened by the Secretary-General at United Nations Headquarters. The Commission shall consist of 21 members who shall be experts in the field of geology, geophysics or hydrography, elected by States Parties from among their nationals, having due regard to the need to ensure equitable geographical representation, who shall serve in their personal capacities.

2. The functions of the Commission shall be:

(a) To consider the data and other material submitted by coastal States concerning the outer limits of the continental shelf in areas where those limits extend beyond 200 nautical miles, and to make recommendations in accordance with article 76 and the Statement of Understanding adopted on 29 August 1980 by the Third United Nations Conference on the Law of the Sea;

(b) To provide scientific and technical advice, if requested by the coastal State concerned during the preparation of the data referred to in subparagraph (a).

3. It should be recalled that the Ad Hoc Meeting of States Parties held in New York from 21 to 22 November 1994 decided on a precise schedule for the nomination and election of the members of the International Tribunal for the Law of the Sea (SPLOS/3, para. 16). The Secretary-General suggests that a similar decision be taken by States Parties for the election of the Commission on the

Limits of the Continental Shelf. Accordingly, the following schedule is proposed:

(a) The first election of the 21 members of the Commission would be held at the Meeting of States Parties which is scheduled to be convened at the United Nations Headquarters from 29 April to 10 May 1996. No decision has been taken concerning the precise date of election. Therefore, for purposes of computing the time-limits for notifications and invitations, the earliest possible date for election within the planned meeting, namely 29 April 1996, has been used;

(b) The nominations would open on 15 December 1995. A State in the process of becoming a party to the Convention might nominate candidates. Such nominations would remain provisional and would not be included in the list to be circulated by the Secretary-General in accordance with annex II, article 2, paragraph 2, of the Convention, unless the State concerned had deposited its instrument of ratification or accession before 29 March 1996;

(c) The nominations would close on 15 March 1996;

(d) The list of candidates would be circulated by the Secretary-General on 8 April 1996.

4. It should be noted that the Convention provides that not less than three members shall be elected from each geographical region (annex II, article 2, paragraph 3, of the Convention).

5. Finally, the State Party which nominates a member of the Commission shall defray the expenses of that member while in performance of Commission duties. However, the coastal State concerned shall defray the expenses incurred in respect of the advice referred to in article 3, paragraph 1 (b), of annex II of the Convention. The secretariat of the Commission shall be provided by the Secretary-General of the United Nations.